

6/24/04 1:44pm Mid temp
Cover Letter FAX 907 269-4539

State of Alaska

Local Boundary Commission

ON: Homer Annexation Demand

Please turn in before 4:30 pm

Thursday June 24, 04

and I'll call & check on my

two faxes

(1) cover

pg.

One from Marie Cabana
KP

2 Pages + 3 pages from Borough

(5) pgs.

Box 607 Homer AK. 99603

(907) 235-6081

Call (907) 229-4617

(6) pgs

One of 3 pages from
Alaska's Opposed Annexation
by Marie Cabana
plus 3 pages from KPB.

Box 23 Homer, AK. 99603

(907) 235-6081

Call (907) 229-4617

2 pgs of
Commission Demand
on Oct 6, 01

TO: Homer Annexation Remand
Local Boundary Commission
550 West Seventh Avenue, Suite 1770
Anchorage, AK 99501
Phone 907-269-4560-4501/ Fax 907-269-4539
Website: www.dced.state.ak.us/cbd
E-Mail: questions@dcedstate.ak.us.

FROM: Doris Cabana
Box 607
Homer, AK 99603
Phone 907-235-6081/Fax 907-235-1311

DATE: June 22, 2004

My personal answer of Remand on KESA will be short as I'm in Michigan without my many boxes of files because my mother died last July and my sisters and myself are settling her affairs and I'm also having many health problems.

KESA was impacted quite heavily when the City of Homer picked the most tax base out of the Katchemak Service Area (KESA). We felt all along the City of Homer dismissed the impact Homer Annexation had on KESA.

Homer City keeps harping on KESA was created illegally. I guess they figured if they keep saying it, people would believe it like many of their other things like their secret documents they tried to get through to the boundary commission before the public could have their input and be informed, without a vote of the people being effected.

We thought for awhile about fire services, petitioning the K.P.B. making the corridor where we live from former City limits to Diamond Ridge into its own entity, and many other things. It was not illegal.

We went through all the proper procedures with the Kenai Peninsula Borough to make KESA a legal entity and have been building on it with improvements, new buildings, new & used equipment, grants and a tax mill besides working and paying the City for their services. Over half the volunteers on the City of Homer Fire Department before annexation were from the outside Homer area. All the city did is pit neighbor against neighbor in their annexation.

My husband and I were next to last on our two properties to the North on the new boundaries of the city. All it got us was a bigger tax bill because the City of Homer only recognized \$150,000 exemption on valuation of senior citizens property where the KPB recognized total, non-commercial of persons home so there were more KESA taxes.

Number 14 of page 3 of Remand states, "No member of the Commission as currently constituted was a member of the Commission when the original petition came before it"

A current member was excused for conflict of interest but not so when we asked Mr. Allan Teske to be excused from voting on the annexation since he had worked for the city but then Commission refused to excuse him and we felt all along this was wrong and harmed our case. Also like the Commissioner falling asleep at the Homer High School meeting and having typewritten answers when voting, this all effects KESA. The whole annexation should have been thrown out.

I would like the Judge and new Commissioners to ask the question, "Why was the whole commission changed?" We were told two ladies on the commission resigned in discuss at how the Homer Annexation was handled. That in itself, if true, should have voided the annexation which effects KESA.

What is the percent of taxes taken?
What is the percent of people taken in?
What is the percent of what was left in the outer area in taxes?
What is the affect on KESA?
What is the percent of people left on KESA?
What percent of mills it will take to make this up?

If I had my paper work, I could give a lot more testimony affecting KESA.

Sincerely,

Doris Cabana
Box 607
Homer, AK 99063
907-235-6081/fax 907-235-1311.

Enclosed are three pages from KPB Mayor's office sent at my request on KESA by Ed Oberts, Assistant to Mayor.

page I



Kenai Peninsula Borough

Mayor's Office

144 North Binkley Street

Soldotna, AK 99669

Phone: (907) 262-4441, ext 201

Fax: (907) 262-8616

FAX TRANSMITTAL COVER SHEET

Date: *5/25/04*

To: *Doris*

Fax: *235-1311*

Re: *KES*

Sender: *Ed Oberts*

YOU SHOULD RECEIVE 3 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT
RECEIVE ALL THE PAGES, PLEASE CALL: 262-4441 EXT. 201

Borough Clerk Certified petition MAY 1, 2000

*Assembly adopted Ord 2000-29 on 8/15/00
creating the Service Area subject to voter
approval.*

10/00 Voters approved New Service Area

*I have not found the date of the First Large
meeting at Kachemak City Hall.*

Ed Oberts

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Introduced by: Mayor
Date: 07/18/00
Hearings: 08/01/00 08/15/00
Action: Amended and Postponed until 08/15/00
Action: Enacted as Amended
Date: 08/15/00
Vote: 8 Yes, 0 No, 1 Absent

KENAI PENINSULA BOROUGH**ORDINANCE 2000-29****AN ORDINANCE ESTABLISHING THE GREATER KACHEMAK VOLUNTEER FIRE AND EMERGENCY MEDICAL SERVICE AREA AND PROVIDING FOR AN ELECTED BOARD**

WHEREAS, more than 15 percent of the eligible voters who voted in the last regular borough election and within the area comprising the proposed Greater Kachemak Volunteer Fire and Emergency Medical Service Area have by petition requested the establishment of a fire and emergency medical service area district in the area described by the petition; and

WHEREAS, the proposed service area population has increased due to the growth and development in recent years creating an increased need for fire and emergency medical services; and

WHEREAS, the spruce bark beetle infestation has created an even greater fire hazard and adherent need for emergency service within the proposed service area; and

WHEREAS, the fire and emergency medical services in the proposed service area have been historically provided by the Homer Volunteer Fire Department, now known as the Homer Fire Department since 1991, City of Homer; and

WHEREAS, the proposed Greater Kachemak Volunteer Fire and Emergency Medical Service Area is to provide additional resources to meet the needs of the residents of the service area; and

WHEREAS, due to the size of the proposed service area, such services cannot be provided more efficiently or effectively by an existing service area, by annexation to a city, or by incorporation as a city;

WHEREAS, although the service area may eventually employ personnel, it is intended that most services will be provided by volunteer.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. Title 16 of the Kenai Peninsula Borough Code of Ordinances is amended by adding a new chapter 16.20, which shall read as follows:

Chapter 16.20. GREATER KACHEMAK VOLUNTEER FIRE AND EMERGENCY

Memo

Page III

To: William Popp, Assembly President

Members of the Kenai Peninsula Borough Assembly

Thru: Dale Bagley, Borough Mayor

From: Ed Oberts, Assistant to Mayor Bagley

Date: July 10, 2000

Ordinance 2000-29 creating the proposed service area is in response to the citizen's petition that the Borough Clerks office certified on May 1, 2000. The petition contained 216 valid signatures representing 29.5% of the voter turnout in the October 1999 Kenai Peninsula Borough Regular Election.

The mayor's report to the assembly on the proposed service area was then prepared and submitted to the assembly at the June 6th meeting. The mayors report on the proposed service area outlined the options to the assembly and indicated creating a new service area subject to voter approval would follow the general philosophy which has governed the formation of service areas throughout the borough.

On June 28, 2000 the assembly conducted a public hearing on the proposed service area as required by borough code under the petition method of forming new service areas. The public testimony indicated continued support for forming the service area with a 1 to 2 mill tax rate. Discussions included the boundaries of the service area and how to provide services including possibly working with the City of Homer Fire Department.

Based on the public testimony the petition sponsors with the assistance of the mayor's office and the borough finance department intend to provide financial information at the July 18th assembly meeting.

The ordinance for introduction uses the boundaries as submitted with the petition and includes a maximum mill rate of 1.75 Mills. The ordinance requires the elected board to submit a plan for approval to assembly on how services will be provided in the service area in addition to the budget.

The ordinance creates the service area subject to voter approval and authorizes a special by mail election asking for voter approval to exercise the powers and simultaneously elect the service area board. Current borough code requires the simultaneous election for both the service area powers and the service area board members.